

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:18-cv-00209-MR-WCM**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) O R D E R
)
\$14,653.66 IN UNITED STATES)
CURRENCY,)
)
Defendant.)
)

THIS MATTER is before the Court on the Government's Motion to Strike, or in the Alternative, Motion for Judgment on the Pleadings [Doc. 9].

On September 17, 2018, the Court received a letter, signed under penalty of perjury from Walker M. Rowland and Jo Stiles, in which they assert a claim with respect to the defendant property on behalf of the Murphy First Baptist Church ("the Church"). [Doc. 4]. The letter indicates that Mr. Rowland is the Chairman of the Church's Budget and Finance Committee and Ms. Stiles is the Church's Treasurer. [Id.]. On October 17, 2018, the Government filed the present Motion to Strike. [Doc. 7]. In the alternative, the Government moves for a judgment on the pleadings. [Id.].

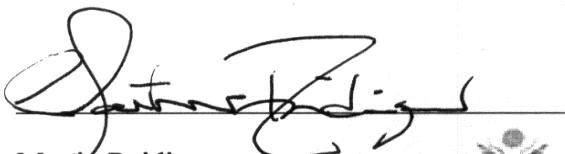
On November 7, 2018, the Court entered an Order holding the Government's Motion in abeyance and giving the Church thirty (30) to retain counsel and file an answer to the Government's Complaint. [Doc. 9]. More than thirty (30) days have now passed, and the Church has not appeared with counsel or filed an answer as required by Rule G(5)(b) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. In light of the Church's failure to retain counsel and file an answer to the Government's Complaint, the Court will strike the Church's Claim [Doc. 4].

IT IS, THEREFORE, ORDERED that the Government's Motion to Strike Claim [Doc. 7] is **GRANTED**, and the Claim filed on behalf of the Murphy First Baptist Church [Doc. 4] is hereby **STRICKEN**.

IT IS FURTHER ORDERED that the Government's request for alternative relief [Doc. 7] is **DENIED AS MOOT**.

IT IS SO ORDERED.

Signed: December 12, 2018



Martin Reidinger
United States District Judge

